

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TERRON BELLE, WILLIAM RIOS,
RICHMOND APPIAH, EDISON QUITO,
BONACIO CRESPI, JAMEEL LANG, and LUIS
RIOS,

on Behalf of Themselves and a Class of Others
Similarly Situated,

Plaintiffs,

19 CV 2673 (VEC)

-against-

THE CITY OF NEW YORK,
NEW YORK CITY POLICE OFFICERS BRIAN
DESTAFANO, DANIEL MARDJONOVIC,
STEVEN BARRY AND “JOHN DOE” 1-50,

in their individual and official capacities,

Defendants.

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**PLAINTIFFS’ AMENDED NOTICE OF DEPOSITION OF DEFENDANTS
PURSUANT TO FED. R. CIV. P. 30(b)(6)**

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiffs Terron Belle, William Rios, Richmond Appiah, Edison Quito, Bonacio Crespi, Jameel Lang, and Luis Rios (collectively, “Plaintiffs”), by their undersigned counsel, will take the deposition of the City of New York and individual New York City Police Officers Brian DeStefano, Daniel Mardjonovic, Steven Barry and “John Doe” 1-50 (collectively, the “City”) by their designated representative(s), upon oral examination to be recorded by stenographic means before a notary public or other officer duly authorized to administer oaths, in the above-captioned matter.

The deposition shall take place on **July 9th, 2021**, commencing at a time and via a means (e.g. virtually or in person) to be mutually agreed upon by the parties.

PLEASE TAKE FURTHER NOTICE that the topics for examination are itemized below. Pursuant to Rule 30(b)(6), Defendant must designate an individual knowledgeable with respect to the topic(s) for examination, who can provide complete and binding answers on Defendant's behalf.

The parties have agreed that other topics itemized in Plaintiffs' Notice of Deposition, served on November 2, 2020 – and issues reserved for *Monell* and class-wide discovery – will be addressed by other designees subject to deposition at other date(s) and time(s). Plaintiffs reserve the right to amend this Notice.

DEFINITIONS

The provisions set forth in SDNY Local Rule 26.3 are incorporated herein by reference.

1. The term “NYPD” refers to the New York City Police Department and its employees and as used herein, it also includes any employees of the City of New York, whether or not those employees were employed directly by the New York City Police Department.

2. The term “NYPD Internal and External Databases” refers to data systems the NYPD uses to maintain, obtain, or review civil and criminal records, data, and information, and includes but is not limited to the Domain Awareness System (“DAS”), the Z FINEST system, the Real Time Crime Center (“RTCC”), the Enterprise Case Management System (“ECMS”), TransUnion TLOxp, and the Criminal Group Database.

3. The term “stop” refers to any Level 1, Level 2 or Level 3 *Terry* Stop as those terms are described in the NYPD patrol guides, rules and regulations and relevant Fourth Amendment case law.

4. The term “frisk” refers to the Level 3 encounter described in the NYPD patrol guides, rules and regulations and relevant Fourth Amendment case law.

5. The term “search” refers to a law enforcement search of an individual’s person or property occurring during or after a stop or frisk, as that term is described in the NYPD patrol guides, rules and regulations and relevant Fourth Amendment case law.

6. The term “police officers” refers to all employees of the NYPD.

7. The term “Records Search” refers to the process by which police officers search NYPD Internal and External Databases for records, data, and information related to the person detained, including but not limited to warrants, investigation cards (hereinafter “I-cards”), orders of protection, arrest records, suspected gang affiliations, and suspected matches to open cases.

8. The term “warrant check” refers to the process by which police officers determine whether someone has any outstanding warrants.

9. The term “maintenance” refers to the upkeep and storage of databases, including but not limited to the relevant vendors who service or host the databases.

10. Unless otherwise specified, the relevant time period for the topics is from January 1, 2009 to present. For the purposes of the July 1, 2021 partial 30(b)(6) deposition, the relevant time period is from 2017 to present.

DEPOSITION TOPICS

(6) The maintenance and use of NYPD Internal and External Databases including, but not limited to the (i) Domain Awareness System, (ii) the Z Finest system and (iii) the Criminal Group Database.

(8) Any other databases or data compilations (aside from the NYPD Internal and External Databases) used by police officers for Record Searches or warrant checks.

(9) The retention and preservation of any information, data or records by the City or the NYPD reflecting the occurrence of Records Searches and warrant checks.

(10) Any analysis, review, audits or reports of Record Searches and warrant checks conducted by the City or the NYPD.

Dated: New York, NY
June 25, 2021

/s/

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